

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

RICHARD DRESCHER,

Plaintiff,

-vs-

Case No:

FILED: April 9, 2008
08cv2010 J. N.
JUDGE NORGLE
MAG. JUDGE DENLOW

INLAND MARINE SERVICE, INC.,

Defendant.

_____/

O'BRYAN BAUN COHEN KUEBLER KARAMANIAN
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-and-

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_____/

COMPLAINT

NOW COMES Plaintiff, by and through counsel undersigned, O'BRYAN BAUN COHEN
KUEBLER KARAMANIAN, complaining against Defendant as follows:

1. Jurisdiction and venue properly lie in this action, Defendant conducting business in this District, in which State - Illinois - Plaintiff is a citizen, and Defendant is a Kentucky corporation with a principle place of business in Kentucky; furthermore, the amount in controversy exceeds Seventy Five Thousand (\$75,000.00) Dollars, per 28 USC 1332, Diversity of Citizenship.

2. At all times material to issues herein Defendant was the operator of a certain vessel cristened the J.B. Klein Peter, which was being operated by an unlicensed individual, giving rise to burden shifting per the Pennsylvania Rule.

3. On or about December 24, 2007, Plaintiff was in the course of employment with Columbia Marine when Defendant's vessel the J.B. Klein Peter, being operated by an unlicensed crewman (negligence per se), was operated without reasonable care resulting in a line breaking with Plaintiff being injured fleeing therefrom. Albeit, Defendant will be unable to prove the Plaintiff's injury could not have been caused by its negligence.

4. Defendant's tortious acts aforesaid caused or contributed to Plaintiff's damages, **inter alia**, as follows:

- a. Pain and suffering, past, present and future;
- b. Mortification, humiliation, fright shock and embarrassment;
- c. Loss of earnings and earning capacity;
- d. Hospital, pharmaceutical and other cure expenses;
- e. Aggravation of prior condition, if any there be;
- f. Inability to engage in social, recreational, and other pursuits previously enjoyed;

- g. Mental anguish;
- h. Found;
- i. Attorney fees.

WHEREFORE, Plaintiff demands trial by jury and judgment against Defendant, together with interest, costs, attorney fees and expenses, all to be methodically adjusted upwards during the pendency of this cause.

O'BRYAN BAUN COHEN KUEBLER
KARAMANIAN

/s/ Dennis M. O'Bryan

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_____/

DEMAND FOR TRIAL BY JURY

_____ NOW COMES Plaintiff by and through counsel undersigned, O'BRYAN BAUN COHEN KUEBLER, and hereby demands trial by jury in the above-referenced cause of action.

O'BRYAN BAUN COHEN KUEBLER
KARAMANIAN

/s/ Dennis M. O'Bryan

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